



SUMMARY
MINUTES OF THE BOARD OF THE
SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

SAUNDRA McDANIEL, CLERK OF THE BOARD

FRIDAY, MAY 3, 2013

Notice having been duly given, the regular meeting of the South Coast Air Quality Management District Board was held at District Headquarters, 21865 Copley Drive, Diamond Bar, California. Members present:

William A. Burke, Ed.D., Chairman
Speaker of the Assembly Appointee

Mayor Dennis R. Yates, Vice Chairman
Cities of San Bernardino County

Supervisor Michael D. Antonovich
County of Los Angeles

Councilmember Ben Benoit
Cities of Riverside County

Councilmember Michael A. Cacciotti
Cities of Los Angeles County – Eastern Region

Supervisor Josie Gonzales
County of San Bernardino

Dr. Joseph K. Lyou
Governor's Appointee

Mayor Pro Tem Judith Mitchell
Cities of Los Angeles County – Western Region

Supervisor Shawn Nelson (arrived at 9:45 a.m.)
County of Orange

Dr. Clark E. Parker, Sr.
Senate Rules Committee Appointee

Councilmember Jan Perry
City of Los Angeles

Mayor Miguel A. Pulido (arrived at 10:50 a.m.)
Cities of Orange County

Member Absent:

Supervisor John J. Benoit
County of Riverside

CALL TO ORDER: Chairman Burke called the meeting to order at 9:10 a.m.

- Pledge of Allegiance: Led by Councilman Benoit.
- Opening Comments


Councilman Cacciotti. Demonstrated an electric lawnmower and shared photographs of the SCAQMD electric lawnmower exchange event in South Pasadena. He detailed a recent visit to Loyola High School, where staff presented three AP Environmental Policy Science classes with information regarding technological advancements in transportation as well as electric lawn care equipment.

Dr. Barry R. Wallerstein, Executive Officer. Noted that errata sheets for Items 1 and 28 were distributed to Board members and copies made available to the public; and explained that staff is withdrawing the errata sheet that was distributed on Item No. 30.

CONSENT CALENDAR

1. Approve Minutes of April 5, 2013 Board Meeting

An errata sheet containing an amendment to page 4 of the Minutes was provided to the Board Members and copies made available to the public.

2. Execute Contract for Implementation of U.S. EPA's Targeted Air Shed Grant Program
3. Designate Funds and Authorize Payment for Low Emissions Hearth Product Incentive Voucher Program in Target Areas
4. Execute Contract for Natural Gas Vehicle Replacements under AB 1318 
5. Adopt Resolution Recognizing Additional Funds for FY 2012-13 Carl Moyer Program, Execute and Amend Contracts under Carl Moyer Program and SOON Provision and Transfer Funds
6. Issue RFP for On-Road Heavy-Duty Development, Integration, and Demonstration of Ultra-Low Emission Natural Gas Engines

7. Execute and Amend Contract with Legal Counsel to Provide Representation in Employment Litigation
8. Execute Contract for Landscape Maintenance at Diamond Bar Headquarters
9. Execute Contract to Conduct Engineering Analysis of Existing Cooling Tower Support Structures at Diamond Bar Headquarters
10. Authorize Purchase of Audio-Visual System Upgrade
11. Approve Transfer of Monies from Health Effects Research Fund to Brain & Lung Tumor and Air Pollution Foundation

Action Item/No Fiscal Impact

12. Adopt SCAQMD Proposals for CEQA Reform

Items 13 through 18 - Information Only/Receive and File

13. Legislative and Public Affairs Report
14. Hearing Board Report
15. Civil Filings and Civil Penalties Report
16. Lead Agency Projects and Environmental Documents Received by SCAQMD
17. Rule and Control Measure Forecast
18. Status Report on Major Projects for Information Management Scheduled to Start During Last Six Months of FY 2012-13

BOARD CALENDAR

20. Administrative Committee
21. Legislative Committee
22. Refinery Committee

- 23. Stationary Source Committee
- 24. Technology Committee
- 25. California Air Resources Board Monthly Report

Agenda Items 10, 11, 12 and 24 were withheld for comment and discussion.

MOVED BY YATES, SECONDED BY CACCIOTTI,
AGENDA ITEMS 1 THROUGH 9, 13 THROUGH 23
AND 25 APPROVED AS RECOMMENDED:
ADOPTING RESOLUTION NO. 13-10
RECOGNIZING FUNDS AND ACCEPTING TERMS
AND CONDITIONS OF THE FY 2012-13 CARL
MOYER GRANT AWARD; RECEIVING AND
FILING THE BOARD COMMITTEES AND CARB
REPORTS; AND ADOPTING THE POSITIONS ON
LEGISLATION AS SET FORTH BELOW, WITH
THE MODIFICATION TO ITEM NO. 1 AS STATED
IN THE ERRATA SHEET AND SET FORTH
BELOW, BY THE FOLLOWING VOTE:

AYES: Antonovich, B. Benoit, Burke, Cacciotti,
Gonzales, Lyou, Mitchell, Parker, Perry
and Yates.

NOES: None.

ABSENT: J. Benoit, Nelson and Pulido.

Agenda Item	Recommended Position
AB 953 (Ammiano) California Environmental Quality Act	Support
SB 617 (Evans) California Environmental Quality Act	Oppose, Unless Amended
SB 731 (Steinberg) Environment: California Environmental Quality	Work with Author
SB 787 (Berryhill) Environmental Quality: The Sustainable Environmental Protection Act	Oppose
AB 466 (Quirk-Silva) Federal Transportation Funds	Work with Author

AB 1077 (Muratsuchi) Sales Support
and Use Taxes: Vehicle
License Fee: Exclusion:
Alternative Fuel Motor Vehicles

SB 454 (Corbett) Air Resources: Watch
Electric Vehicle Charging
Station

SB 621 (Gaines) Vehicular Oppose
Air Pollution: Exemption:
Low-Use Vehicles: Non-Profit
Organizations

Revision to page 4, first paragraph, of the Minutes, Item #1:

Dr. Lyou announced his abstention on Item No. 4 because his employer is a party to the China Shipping Settlement, a portion of which is proposed to be used as a source of funding for the catenary truck demonstration project, is a potential source of income to him and on Item No. 14...

19. Items Deferred from Consent Calendar

11. Approve Transfer of Monies from Health Effects Research Fund to Brain & Lung Tumor and Air Pollution Foundation

Jesse Marquez, Coalition for a Safe Environment, addressed the Board and requested that funding go to health issues that affect environmental justice communities as a result of the petroleum and ports movement industry, including leukemia, lymphoma, myeloma and respiratory diseases; and expressed concern with Board Members serving on the Foundation's Board of Directors.

Dr. Wallerstein commented that he would meet with Mr. Marquez to discuss what he views as a priority in the research field.

Chairman Burke noted that the Board welcomes input on what other conditions should be viewed as priority.

Kurt Wiese, General Counsel, confirmed that no conflict of interest exists by Board members serving on the Foundation Board, because it is a non-profit organization.

12. Adopt SCAQMD Proposals for CEQA Reform

Jesse Marquez, Coalition for a Safe Environment, addressed the Board and acknowledged that while some of the CEQA lawsuits filed are frivolous, that does not represent the vast majority of the public's interest; and noted the primary reason for delays in the CEQA process is because of the failure of agencies to provide adequate and comprehensive EIRs.

Dr. Wallerstein responded that the proposed bills are designed to streamline CEQA without weakening the objectives of protecting the environment.

Mayor Yates detailed the practices of select lawyers who abuse the system by disregarding the EIR and mitigation process and seek monetary gain from either a court judgment or a payoff from the project developers.

Dr. Lyou explained that having successfully used CEQA in the past, he has concerns about certain proposals in the reform that threaten those acting in the public's interest.

MOVED BY YATES, SECONDED BY
CACCIOTTI, AGENDA ITEMS 11 AND 12
APPROVED AS RECOMMENDED, BY THE
FOLLOWING VOTE:

AYES: Antonovich, B. Benoit, Burke,
Cacciotti, Gonzales, Lyou (*except
Item #12*), Mitchell, Parker, Perry
and Yates.

NOES: Lyou (*Item #12 only*).

ABSENT: J. Benoit, Nelson, and Pulido.

(Supervisor Nelson arrived at 9:45 a.m.)

10. Authorize Purchase of Audio-Visual System Upgrade

The following individual addressed the Board on Agenda Item No. 10.

Brad Caldwell, Integrated Media Systems, explained that his company has had a long-standing relationship with the District and its audio visual, video and control systems; expressed concern regarding inadequacies in the RFP bid process; and suggested a review of the process and the evaluation criteria for future releases.

Chairman Burke noted that if an applicant is not satisfied with the firm selected, they have 10 days to file a grievance.

MOVED BY B. BENOIT, DULY SECONDED,
AGENDA ITEM 10 APPROVED AS
RECOMMENDED, BY THE FOLLOWING
VOTE:

AYES: Antonovich, B. Benoit, Burke,
Cacciotti, Gonzales, Lyou,
Mitchell, Nelson, Parker, Perry
and Yates.

NOES: None.

ABSENT: J. Benoit and Pulido.

24. Technology Committee

Dr. Lyou commented on discussion item number 5 on the committee report regarding the demonstration of low-emission outdoor fire pit rings, noting that it would have been ideal for the demonstration to have been completed before the Board decides about potentially banning the wood-burning beach fire pits. He suggested that, in the future, the Board is provided detailed information about possible alternatives prior to taking action on an item.

In response to Mayor Yates' request for the opinion of counsel regarding the cities' right to remove the fire pits, Dr. Wallerstein noted that some newly received information requires adequate review by counsel prior to discussion.

MOVED BY LYOU, SECONDED BY PERRY,
AGENDA ITEM 24 APPROVED, RECEIVING
AND FILING THE TECHNOLOGY
COMMITTEE REPORT, BY THE FOLLOWING
VOTE:

AYES: Antonovich, B. Benoit, Burke,
Cacciotti, Gonzales, Lyou,
Mitchell, Nelson, Parker, Perry
and Yates.

NOES: None.

ABSENT: J. Benoit and Pulido.

Dr. Wallerstein suggested that the Board address Agenda Item No. 29 prior to the other public hearing items.

PUBLIC HEARING

29. Amend Rule 445 – Wood-Burning Devices and Amend Rule 444 – Open Burning (*Note: At its May 3, 2013 meeting, the SCAQMD Governing Board considered all parts of Proposed Amended Rules 445 and 444, except specific provisions related to beach fire rings. Beach fire rings will be considered at the June 7th Board meeting.*)

Dr. Philip Fine, Assistant DEO/Technology Advancement Office, gave the staff presentation.

Mayor Yates noted that the beach fire ring issue will be heard at the June 7, 2013 meeting and that the Board would only hear testimony relevant to the other portions of Rule 444 and Rule 445 amendments; and that any testimony not related to those portions, should be made during the public comment period.

The public hearing was opened and the following individuals addressed the Board on Agenda Item 29.

TERRY ROBERTS, American Lung Association in California

Expressed support for the proposed amendments to place controls on wood smoke pollution to reduce health impacts on local communities based on the scientific evidence linking wood smoke pollution to lung disease, heart disease and premature death.

JOHN CROUCH, Hearth, Patio and Barbecue Association

Applauded staff for their collaborative efforts throughout the rule development process; and expressed disappointment that an agreement was not reached regarding qualified fireplaces.

Submitted Written Comments

Guilia D'Alesio

Mary Giacoletti

Councilman Cacciotti asked for more specific information regarding the health studies and their findings regarding health impacts.

Dr. Wallerstein responded that staff intends to provide that additional information to the Board when it considers the fire pit amendments at its June 7, 2013 meeting.

In response to Chairman Burke's inquiry about potential particulate pollution from wildfires currently burning in the basin, Dr. Wallerstein replied that staff has been analyzing the data received from SCAQMD monitoring stations and will determine if additional monitoring equipment needs to be deployed based on that data.

Dr. Jean Ospital, Health Effects Officer, noted the health effects associated with particulate matter from smoke range from inhibited lung function in children to increased mortality rates; and detailed those effects related specifically to wood smoke exposure including eye, throat and respiratory irritation, increased respiratory ailments and a recent study indicates a relation to chronic obstructive pulmonary disease.

Supervisor Gonzales suggested that a provision be added that would prohibit any recreational burning when wildfires are burning in the region.

Dr. Wallerstein responded that staff would analyze the feasibility of such an addition and provide a report to the Board's Stationary Source Committee.

MOVED BY YATES, SECONDED BY GONZALES, AGENDA ITEM NO. 29 APPROVED, AMENDING RESOLUTION NO. 13-12 CERTIFYING THE NOTICE OF EXEMPTION AND ADOPTING RULE 445, AND AMENDING RULE 444, WITH THE EXCEPTION OF PROVISIONS IN PARAGRAPHS (b)(11) and (c)(7), SUBPARAGRAPH (d)(3)(G), AND PARAGRAPHS (h)(5) and (6) WHICH WILL BE CONSIDERED AT THE JUNE 7, 2013 BOARD MEETING, AS RECOMMENDED BY STAFF, BY THE FOLLOWING VOTE:

AYES: Antonovich, B. Benoit, Burke, Cacciotti, Gonzales, Lyou, Mitchell, Nelson, Parker, Perry and Yates.

NOES: None.

ABSENT: J. Benoit and Pulido.

26. Adopt Executive Officer's FY 2013-14 SCAQMD Budget and Work Program and CPI Fee Adjustment and Revise Board Member Assistant and Board Member Consultant Policy

Michael O'Kelly, Chief Financial Officer, gave the staff presentation.

In response to Councilman Cacciotti's inquiry about the status of investment funds, Mr. O'Kelly noted that the District's investment returns are doing well on a relative basis and in comparison to other governmental agencies that fall under the same government code requirements regarding credit quality and, maturity limits.

The public hearing was opened and the following individual addressed the Board on Agenda Item 26.

HARVEY EDER, Public Solar Power Coalition

Requested that fee waivers be available for low income individuals that want to appeal permit decisions.

There being no further public testimony on this item, the public hearing was closed.

Dr. Wallerstein noted that a report will be made to the Administrative Committee regarding the procedure in place for fee waivers.

Dr. Parker inquired if the Board is presented with information at intervals throughout the year regarding budgeted versus actual financial transactions.

Dr. Wallerstein noted that the Board receives an extensive presentation at the annual Board Retreat and a monthly penalty report with each Board meeting package. He added that, per the Board's request, staff will begin sending status updates on a quarterly basis.

MOVED BY GONZALES, SECONDED BY PARKER, THE FOLLOWING ACTIONS APPROVED ON AGENDA ITEM NO. 26 AS RECOMMENDED BY STAFF, BY THE FOLLOWING VOTE:

- 1) REMOVE FROM RESERVES AND DESIGNATIONS ALL AMOUNTS ASSOCIATED WITH THE FY 2012-13 BUDGET;
- 2) APPROVE TOTAL APPROPRIATIONS OF \$129,202,928;
- 3) APPROVE A PROJECTED JUNE 30, 2014 FUND BALANCE OF \$20,633,153 AND TOTAL UNDESIGNATED OF \$15,586,988;
- 4) APPROVE TOTAL REVENUES OF \$129,202,298;
- 5) APPROVE THE ADDITION OF 1 AUTHORIZED/FUNDED - POSITION AND DELETION OF 2 POSITIONS AS DETAILED IN THE DRAFT BUDGET; AND

- 6) AMEND THE BOARD MEMBER ASSISTANT AND BOARD MEMBER CONSULTANT POLICY AS SET FORTH IN ATTACHMENT A OF THE BOARD LETTER.

AYES: Antonovich, B. Benoit, Burke, Cacciotti, Gonzales, Lyou, Mitchell, Nelson, Parker, and Yates.

NOES: None.

ABSENT: J. Benoit, Perry and Pulido.

27. Annual Report for 2012 on AB 2588 Air Toxics Hot Spots Program

Staff waived the oral presentation on Agenda Item 27.

The public hearing was opened, and there being no requests to speak, the public hearing was closed.

MOVED BY YATES, SECONDED BY GONZALES, AGENDA ITEM NO. 27 APPROVED, BY THE FOLLOWING VOTE:

AYES: Antonovich, B. Benoit, Burke, Cacciotti, Gonzales, Lyou, Mitchell, Nelson, Parker, Perry and Yates.

NOES: None.

ABSENT: J. Benoit and Pulido.

28. Amend Rule 219 – Equipment Not Requiring a Written Permit Pursuant to Regulation II and Amend Rule 222 – Filing Requirements for Specific Emission Sources Not Requiring a Written Permit Pursuant to Regulation II

Naveen Berry, Planning and Rules Manager, gave the staff presentation. He noted an errata sheet adding the words "equal to or" in reference to maximum holding capacity by asphalt day tankers and tar pots.

(Mayor Pulido arrived at 10:50 a.m.)

The public hearing was opened and the following individuals addressed the Board on Agenda Item 28.

RITA LOOF, RadTech

Explained that Rule 219 presents an opportunity for the District to provide incentives to companies who voluntarily reduce their emissions; and encouraged the Board to ensure 1) the reduction of unnecessary complications for companies who have already reduced their emissions above required levels; 2) clarification of rule language; and 3) a level playing field for all industries so that no one suffers a competitive disadvantage. (Submitted Written Comments)

WILLIAM CRAYCRAFT

Urged the Board to consider the effect of the amendments on a number of manufacturing industries, including businesses moving their operations to other states or countries. He requested a delay in adoption to further consider amendments to the proposed rule.

There being no further public testimony on this item, the public hearing was closed.

Submitted Written Comments

Monique Favreau, H&H Enterprises
Terry Thompson, PCT Engineered Systems, LLC
Jerry Trauth, Kustom Group
Anthony Carignano, Cytec Coating Resins

*Amended
6/7/2013
SP*

Mayor Yates, Chair of the Board's Stationary Source Committee, recommended that staff bring the issues expressed by Ms. Loof and Mr. Craycraft which did not pertain to the proposed amendments to Rule 219 back to the Stationary Source Committee for review. Mayor Pro Tem Mitchell expressed her desire also to hear more about this at the Committee meeting, expressing her support for the UV/EB technology and keeping the industry in this region.

Dr. Laki Tisopoulos, Assistant DEO/Planning & Rules, explained that the proposed amendments do not positively or negatively impact the UV/EB industry who already have a generous exemption in the rule, adopted during a previous amendment. If the Board desires additional exemptions, staff could address that at a future meeting of the Stationary Source Committee.

Dr. Lyou requested staff address the following items for presentation to the Stationary Source Committee: 1) explore incentives to promote the conversion from existing higher polluting equipment to less polluting technology and 2) address the complications associated with the add-on technology exemptions.

Supervisor Nelson noted the value of simplifying these more complex rules and regulations.

Supervisor Gonzales stressed the importance of addressing issues that have an impact on the entire region and the overall goal of the SCAQMD.

MOVED BY GONZALES, SECONDED BY YATES, AGENDA ITEM NO. 28 APPROVED, ADOPTING RESOLUTION NO. 13-11 CERTIFYING THE NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL ASSESSMENT AND AMENDING RULE 219 AND RULE 222, AS RECOMMENDED BY STAFF, WITH THE MODIFICATIONS AS STATED IN THE ERRATA SHEET AND SET FORTH BELOW, BY THE FOLLOWING VOTE:

AYES: Antonovich, B. Benoit, Burke, Cacciotti, Gonzales, Lyou, Mitchell, Nelson, Parker, Perry, Pulido and Yates.

NOES: None.

ABSENT: J. Benoit.

Add the following language to Proposed Amended Rule 222 as shown in **BOLD DOUBLE UNDERLINE**.

(b) Applicability

TABLE I

<u>Asphalt Day Tankers, with a maximum holding capacity <u>equal to or greater than 600 liters (159 gallons)</u> but no more than 18,925 liters (5,000 gallons) and are equipped with a demister and burner(s) designed to fire exclusively on liquefied petroleum gases.</u>	<u>5/3/2013</u>
<u>Tar Pots or Tar Kettles, with a maximum holding capacity <u>equal to or greater than 600 liters (159 gallons)</u> but no more than 3,785 liters (1,000 gallons) and are equipped with burner(s) designed to fire exclusively on liquefied petroleum gases.</u>	<u>5/3/2013</u>

(c) Definitions

- (4) ASPHALT DAY TANKER is a storage tank mounted on a motor vehicle and is used exclusively for the storage, holding, melting, and transfer of asphalt or coal tar pitch with a maximum holding capacity **equal to or greater than 600 liters (159 gallons)** but no more than 18,925 liters (5,000 gallons), is equipped with a demister and burner(s) designed to fire exclusively on liquefied petroleum gases.

- (26) TAR POT (also known as a tar kettle) is any mobile equipment used exclusively for the storage, holding, melting, and transfer of asphalt or coal tar pitch and has a maximum holding capacity equal to or greater than 600 liters (159 gallons) but no more than 3,785 liters (1,000 gallons) and is equipped with burner(s) that fire exclusively on liquefied petroleum gases.

30. Adopt Proposed Rule 1114 – Petroleum Refinery Coking Operations

Staff waived the oral presentation on Agenda Item 30.

The public hearing was opened and the following individuals addressed the Board on Agenda Item 30.

JESSIE MARQUEZ, Coalition for a Safe Environment

Urged for an implementation deadline of 2014; and expressed concern with the out venting of harmful emissions.

Dr. Tisopulos responded that the implementation date is based on each refinery's next turnaround date with an absolute (not to exceed) deadline of December 31, 2016. In regards to out venting, before the coker units are opened to push coke out of the drum, a vent must be opened to the atmosphere to equilibrate the internal vessel pressure with atmospheric pressure. The rule seeks to minimize resulting environmental impacts by establishing a depressurization limit of 2 pounds per square inch gauge pressure prior to venting the coke drums.

PATTY SENECA, Western States Petroleum Association

Expressed support for the proposed rule; and acknowledged the collaboration that has been evident throughout the development process.

YANA GARCIA, ALICIA RIVERA, DORIAN TIBET and MARIA VASQUEZ, Communities for a Better Environment

Expressed support for the long overdue rule to aid those communities that are impacted by numerous refineries and other sources of pollution leading to increased instances of cancer and asthma; and urged the Board to move up the compliance deadlines so that refineries have to meet them more quickly.

There being no further public testimony on this item, the public hearing was closed.

Supervisor Gonzales thanked the members of CBE for coming forward to express their concerns in reference to the health impacts to their communities.

Chairman Cacciotti expressed support for making the implementation deadline sooner than 2016, if it is not an extreme financial burden for the operators to complete the necessary adjustments.

Chairman Burke noted that requiring shut downs by multiple refineries within a short period of time would likely result in a spike in gas prices.

Dr. Parker detailed the complexity of closing down coking machines within refinery operations; and noted that since the turnarounds are a necessary part of their process, they should not be required to shut them down at a separate time to comply with the rule.

Mayor Pulido urged the Board to move forward in an effort to balance the economic effects versus the public health impacts while continuing to look towards the big picture in the future.

MOVED BY NELSON, SECONDED BY
GONZALES, AGENDA ITEM NO. 30
APPROVED, ADOPTING RESOLUTION NO.
13-13 CERTIFYING THE FINAL
ENVIRONMENTAL ASSESSMENT AND
ADOPTING RULE 1114, AS RECOMMENDED
BY STAFF, BY THE FOLLOWING VOTE:

AYES: Antonovich, B. Benoit, Burke,
Cacciotti, Gonzales, Lyou,
Mitchell, Nelson, Parker, Perry,
Pulido and Yates.

NOES: None.

ABSENT: J. Benoit.

PUBLIC COMMENT PERIOD — (Public Comment on Non-Agenda Items, Pursuant to
Government Code Section 54954.3)

Harvey Eder, Public Solar Power Coalition, expressed concern with the San Onofre nuclear power plant bringing a reactor back online; and urged for immediate total solar conversion and the reliance on solar powered technology.

Thomas Sweatt, Citizens of South Coast District, encouraged the Board to focus on bigger issues and leave the beach fire rings alone; and asked that the Board postpone the vote regarding open burning on beaches indefinitely.

Randol Brown, Citizens of California, expressed concern that the Board is considering the removal of beach fire pits, without concrete evidence as to the harm they pose.

Mayor Pulido noted that he is hosting a public forum on May 17 at 5:00 p.m. at the Huntington Beach City Council Chambers so that Orange County residents have an opportunity to provide their input that will assist the Board in the decision-making process for the Rule 444 amendments related to fire rings.

CONFLICT OF INTEREST DISCLOSURES

Under the approval authority of the Contract Administrator, the District will enter into a contract modification (No. MS11056B) with The Better World Group, Inc. ("BWG"). BWG is a potential source of income for Governing Board Member Joseph Lyo, which qualifies for the remote interest exception of Section 1090. Dr. Lyo abstained from any participation in the making of the contract modification.

CLOSED SESSION

The Board recessed to closed session at 12:15 p.m., pursuant to Government Code section 54956.9(a) to confer with its counsel regarding pending litigation which has been initiated formally and to which the District is a party, as follows:

- Flashberg, et al. v. Dublin, et al., Los Angeles Superior Court Case No. BC463159; and
- Friedman Marketing Corp. dba EZ Flo Nozzle & Equipment Co. v.SCAQMD, Los Angeles Superior Court Case No. BC495521.

It was also necessary for the Board to recess to closed session pursuant to Government Code section 54957.6 to confer regarding upcoming labor negotiations with:

- designated representatives regarding represented employee salaries and benefits or other mandatory subjects within the scope of representation [Negotiator: William Johnson; Represented Employees: Teamsters Local 911].

Following Closed Session, General Counsel Kurt Wiese announced that there were no reportable actions taken in closed session.

ADJOURNMENT

There being no further business, the meeting was adjourned by Kurt Wiese at 12:35 p.m. in memory of Donna Lee Andrews, President of Lee Andrews Group, Inc.

The foregoing is a true statement of the proceedings held by the South Coast Air Quality Management District Board on May 3, 2013.

Respectfully Submitted,



Denise Pupo
Senior Deputy Clerk

Date Minutes Approved: June 7, 2013



Dr. William A. Burke, Chairman

ACRONYMS

CARB = California Air Resources Board
CEQA = California Environmental Quality Act
CNG = Compressed Natural Gas
EIR = Environmental Impact Report
FY = Fiscal Year
RFP = Request for Proposals
SOON = Surplus Off-Road Opt-In for NOx
U.S. EPA = United States Environmental Protection Agency